

turn undertook to make certain grants of land and money to the Dominion Government in trust to aid that policy of railway construction. The agreement set forth specifically what the Province of British Columbia was to do. That was accepted and the grants of land agreed to be made were made -- in fact, made in a very liberal and very generous way. Shortly, we say that to add to those obligations a further burden in the form of an excessive railway toll is to add something to the agreement which, in a strict interpretation of the agreement, is a violation of its terms, and certainly a violation of the intention of the agreement as far as British Columbia understood it at that time.

There are, it is true, three general rate scales in the Dominion at the present time. There is the Eastern rate scale, which applies generally between Port William and the Atlantic. There is the prairie rate scale, which applies generally between Port William and Canmore, which is some sixty-seven miles west of Calgary on the main line of the Canadian Pacific, and Edson on the main line of the Canadian Northern railway, some one hundred and fifty odd miles west of Edmonton. Then, there is the Pacific scale, or what is commonly termed the mountain scale, which applies to all traffic moving in the province of British Columbia and to all traffic moving interprovincially from the Province of British Columbia from or to the prairie provinces. The mountain scale of rates is higher than the prairie scale by from fifteen to one hundred and fifty per cent. The prairie scale is, generally speaking, from ten to thirty per cent higher than the eastern scale. Whatever may be the justification for the contention that railways are compelled by water competition in eastern Canada to set a lower rate, we submit that under a proper interpretation of the terms of union we are entitled to at least the same rates that obtain in the other parts of western Canada. It is in connection with the constitutional features that Premier Oliver is going to speak to you to-day; and that will be without any prejudice to our right to a further hearing should the Government not be convinced after hearing Mr. Oliver that they should immediately intervene.

I may say that these submissions were before the Board of Railway Commissioners in 1910 and 1922 -- submissions that we have a right to consideration under the terms of union; submissions that as a matter of treaty we had a right to consideration. The answer of the Board of Railway Commissioners, reported in volume 8 of Canadian Railway Cases, page 346 in 1910, was to the effect that if there was an agreement upon which we have any claim as against the Canadian Pacific Railway it was an agreement made between the Canadian Pacific Railway Company and the Dominion Government, and it was only the Dominion Government that could intervene so far as the securing of any redress was concerned. That decision was followed in 1922 -- and it is referred to in the petition that you have before you -- by an order of the present Board of Railway Commissioners. So that we are before you to-day not only as appellants from the order of the Board of Railway Commissioners; Mr. Oliver is here to place before you the reasons why, following the directions received from the Board of Railway Commissioners, you should as a Dominion Government intervene at this time to protect us in the matter of an agreement which we have with you.

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